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6 **IN THE UNITED STATES DISTRICT COURT**

7 **FOR THE DISTRICT OF ARIZONA**

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9 Lawrence L. Peterson,

10 Plaintiff,

11 vs.

12 Maricopa County, et al.,

13 Defendant.

) No. CV 04-2276-PHX-SMM (LOA)

) **ORDER**

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15 Plaintiff, Lawrence L. Peterson, filed a 42 U.S.C. § 1983 action against Maricopa

16 County, Sheriff Joseph M. Arpaio, and various named employees of the Maricopa County

17 Sheriff's Office alleging that his constitutional rights were violated by (1) overcrowded and

18 unsafe conditions; (2) denial of outside recreational activities; (3) an inadequate and tainted

19 diet; (4) deliberate indifference to his medical needs; (5) unsanitary conditions; and

20 (6) retaliation (Doc. #13).<sup>1</sup> Plaintiff now seeks to dismiss his action because he was denied

21 an extension of time, he has no experience in the law, he has been unable to retain counsel,

22 he cannot afford to make copies and mail materials to the Court, and he is being returned to

23 Maricopa County custody (Doc. #36). Defendants do not oppose the motion (Doc. #38).

24 Although the parties have not entered into a signed stipulation, Defendants

25 specifically stated that they do not oppose the dismissal. See Fed.R.Civ.P. 41(a) (providing

26 that "an action may be dismissed by the plaintiff . . . by filing a stipulation of dismissal

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28 <sup>1</sup> The Court dismissed the remaining Defendants and Counts pursuant to 28 U.S.C. § 1915A(a) (Doc. #14).

1 signed by all parties who have appeared in the action”). Accordingly, because the parties  
2 agree to a dismissal of the instant action, Plaintiff’s motion will be granted.

3 **IT IS ORDERED** that Plaintiff’s Motion to Dismiss (Doc. # 36) is **GRANTED**.  
4 Plaintiff’s action is dismissed. The Clerk of Court shall enter a judgment of dismissal  
5 accordingly.

6 DATED this 19<sup>th</sup> day of June, 2007.

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10 Stephen M. McNamee  
11 United States District Judge  
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